

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

OLLEN G. COLBERT, Jr.
3475 Vine St.
Cincinnati, Ohio 45220

Plaintiff,

vs.

CINCINNATI GAS AND ELECTRIC CO.
139 E. Fourth St.
Cincinnati, Ohio 45202

and

**INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL 1347**
4100 Colerain Avenue
Cincinnati, Ohio 45223-2590

Defendants.

) Case No.: C-1-00-909
)
) Judge Susan J. Dlott
) Magistrate Judge Timothy J. Hogan

**STIPULATION OF COUNSEL
FOR EXTENSION OF TIME**

COME NOW THE COUNSEL FOR THE PARTIES, Ariane S. Johnson, Counsel for Defendant, Cinergy/The Cincinnati Gas and Electric Company, Jerry Spicer, Counsel for Defendant, International Brotherhood of Electrical Workers, Local 1347, and Rose Ann Fleming, Counsel for Plaintiff, Ollen G Colbert, Jr. to stipulate to an extension of time for Plaintiff's Counsel to complete her research to answer or otherwise respond to the Motion for Summary Judgment filed by Cinergy/The Cincinnati, Gas and Electric Company on January 13, 2005 and to the Motion for Summary Judgment filed by Defendant International Brotherhood of Electrical Workers, Local 1347 on January 14, 2005. Parties have agreed that Plaintiff may have an extension of time from February 21, 2005 to March 8, 2005.

Plaintiff requested this extension of opposing counsel in order to complete the research required to respond appropriately to the issues raised in the two separate Motions for Summary Judgment filed by the Defendants individually in this matter.

The parties respectfully note for the Court no prejudice should occur to either side by the Plaintiff taking adequate time to fully brief his opposition to the two pending dispositive motions of the Defendants because Plaintiff pledges not to oppose any request for extension of time requested by either or both of the Defendants.

SO AGREED.

Defendants:

**The International Brotherhood of
Electrical Workers, Local 1347**

/s/ Jerry A. Spicer

Jerry Alan Spicer per phone authorization 2/17/05 to sign electronically.
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Cinergy/The Cincinnati Gas and Electric Company

/s/ Arian Schallwig Johnson

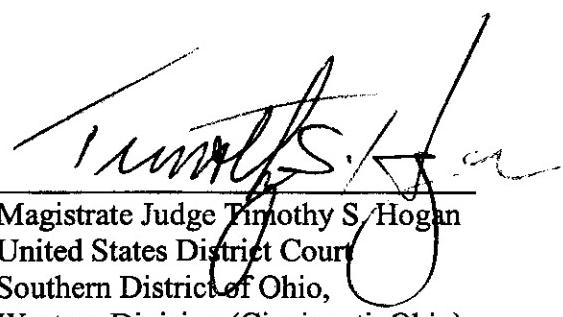
Arian Schallwig Johnson per phone authorization 2/17/05 to sign
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Plaintiff:

Ollen G. Colbert, Jr.

/s/Rose Ann Fleming
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BE IT SO ORDERED.



Magistrate Judge Timothy S. Hogan
United States District Court
Southern District of Ohio,
Western Division (Cincinnati, Ohio)